



HAMILTON, BROOK, SMITH &amp; REYNOLDS, P.C.

RCE/1600 \$20  
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JAN 23 2002  
TECH CENTER/16002900**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of a utility or plant application  
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number	09/290,049
Filing Date	April 12, 1999
First Named Inventor	Daniel J. Smith
Group Art Unit	1645
Examiner Name	R. Swartz
Attorney Docket Number	1564.1008-002 (FDC98-01p2A)

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

**1. Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on ☐.  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on ☐.
- iii. ☐ Other -- ☐.
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other -- Petition for Four-Month Extension of Time and Substitute Sequence Listing.

**2. Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ☐ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other -- ☐.

**3. Fees** The RCE fee under 37 CFR §1.17(e) is required by 37 CFR §1.114 when the RCE is filed. A copy is enclosed for accounting purposes.

- a. ☐ A check is enclosed for the following fees in the amount of \$4,532.00  
OR  
☒ Authorization is granted to charge the following fees to Deposit Account No. 08-0380. A copy of this document is enclosed for accounting purposes
- |  |            |          |          |        |          |
|--|------------|----------|----------|--------|----------|
|  | 01/24/2002 | HVUONG61 | 00000088 | 080380 | 09290049 |
|--|------------|----------|----------|--------|----------|
- b. i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)      02 FC:179      740.00 CH
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)      03 FC:103      792.00 CH
- iii. ☒ Amendment Fee      04 FC:102      1680.00 CH
- iv. ☐ Other -- ☐.
- c. ☒ Authorization is hereby granted to charge any insufficiency in fees or credit any overpayments to Deposit Account No. 08-0380.

**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED**

Name (Print/Type)	Pamela A. Torpey	Registration No. (Attorney/Agent)	45,736
Signature	<i>Pamela A. Torpey</i>	Date	December 18, 2001

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, D.C. 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	Stephanie L. Carta		
Signature	<i>Stephanie L. Carta</i>	Date	12/18/01